

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 7, 1961
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen Perry, Shanks, White, Mayor Palmer
Absent: Councilman Armstrong

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by RABBI DONALD CRAIN, Congregation Agudas Achim Church.

MR. ED ST. JOHN, representing the Highland Lakes Committee of the Austin Chamber of Commerce and Central Texas Marine Trade Association, made the following requests:

1. Permission to conduct a boat PARADE down Congress Avenue on Thursday, January 11th, 3:30 p.m. The purpose of the parade is to publicize the opening of the Central Texas Boat, Sport-Vacation and Travel Show, January 12th through 14th at the Municipal Auditorium. The parade will last approximately 20 minutes and they would check through the Police Department. Austin Automobile Dealers will also participate in the parade. Councilman White moved that they be granted permission for the PARADE. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Perry, Shanks, White, Mayor Palmer
Noes: None
Absent: Councilman Armstrong

2. Inquired about the date for lowering the lake. They asked that it be lowered either a week before or a week after the Boat Show. The Council discussed the lowering of the Lake and asked the City Manager to check with the L.C.R.A. Later in the meeting the City Manager reported any time in January or February would be alright with the L.C.R.A. The Council agreed to start LOWERING THE LAKE on JANUARY 21st, and leave it lowered the same length of time as last year. The Council asked that this be given publicity so that anyone that wanted to do work on their shore line or boat dock could get their applications in.

3. Submitted the following recommendations for Council consideration:

That additional launching ramps and tie-up docks be constructed at Walsh Landing and at Bull Creek and that approach area be graded and improved at Bull Creek.

That general weed cutting be eliminated on Lake Austin and provision be made by special permission for cutting to provide access to individual properties.

That city investigate the feasibility of leasing a dredging or dragline operation to take out rich lake bed dirt increasing lake depth to 15'-17' in strategic areas and eliminating weed problem.

The Council discussed the property at Bull Creek and the weed cutting on the Lake.

MR. VIC MATHIAS, Chamber of Commerce, invited the Council to attend the opening of BEHRENS DRUG Tuesday, December 19th at 10:00 A.M.

MR. RICHARD PETTWAY stated that one million books were now being circulated by the Library and this was twice the national average.

MR. EUGENE BARTHOLOMEW, President of the Austin National Bank, appeared on behalf of the Bank's request for additional space for transformer vault in East 5th Street. He had filed with the Director of Public Works a letter stating the Bank would pay for relocating any utility lines in accordance with the city requirements. He stated they needed an additional 3'. Councilman Perry offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the application of Austin National Bank to construct and maintain the hereinafter described underground improvements:

A basement under the following described street area, to-wit:

75 square feet of land more or less, same being out of and a part of East 5th Street, said East 5th Street being a street in the Original City of Austin, Travis County, Texas, according to a map or plat of said Original City of Austin on file in the General Land Office of the State of Texas, said 75 square feet of land more or less being more particularly described by metes and bounds as follows:

BEGINNING at a point in East 5th Street, same being the northeast corner of the herein described tract of land, which point of beginning is a point in a line approximately 10.3 feet south of the north property line of East 5th Street, and which point of beginning is also a point in

the southerly prolongation of the east line of Lot 1, Block 56 of the Original City of Austin;

THENCE, with the southerly prolongation of the east line of said Lot 1 in a southerly direction to a point in a line 3.00 feet south of and parallel to the north curb line of said East 5th Street;

THENCE with said line 3.0 feet south of and parallel to the north curb line of East 5th Street in a westerly direction, 25.00 feet to a point in a line twenty-five (25.00) feet west of and parallel to the said southerly prolongation of the east line of said Lot 1;

THENCE, with said line 25.00 feet west of and parallel to the aforesaid southerly prolongation of the east line of Lot 1, in a northerly direction to a point in a line approximately 10.3 feet south of the north line of East 5th Street, same being the north curb line of said East 5th Street;

THENCE with the north curb line of East 5th Street in an easterly direction to the point of beginning.

be and the same is hereby granted and the Building Inspector is hereby authorized to issue a permit for the construction of such improvements, said grant and permit to be subject to the following conditions:

- (1) The improvements shall be constructed and maintained in compliance with all ordinances relating thereto.
- (2) The permit shall be issued and accepted subject to all reasonable police, traffic, fire, and health regulations of the City of Austin, now existing or hereafter adopted.
- (3) The repair or relocating of any and all utilities in the vicinity due to those improvements shall be done at the expense of the Austin National Bank.
- (4) The Austin National Bank will indemnify and save the City of Austin harmless from any and all claims against said City growing out of or connected with the construction or maintenance of said improvements.
- (5) The City of Austin may revoke such permit at any time and upon such revocation the owner of the building will construct the necessary walls and footing to separate such space from any buildings or other improvements and pay all costs and expenses attendant therewith.

The motion, seconded by Councilman Shanks, carried by the following vote:
Ayes: Councilmen Perry, Shanks, White, Mayor Palmer
Noes: None
Absent: Councilman Armstrong

MR. TOM BRADFIELD appeared representing the TRAVIS-WILLIAMSON WATER DISTRICT NO. 1 in their request for permission to serve an Industrial Customer outside of the Water District. He stated the customer was the Electro-Mechanics Company. The City Manager stated he recommended this. Councilman Shanks moved that this request be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Perry, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Armstrong

The City Manager was asked to write a letter to the District stating the Council had granted them permission to serve the customer.

MAYOR PALMER inquired about the study being made for an increase for City Employees. The City Manager stated they were working on it but it would be several weeks before he was ready to make a report.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ESTABLISHING APPROPRIATE ZONING AND ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:
(1) SECTION 1: SAME BEING THE EAST 178.52 FEET OF LOT 20, E. A. SIMS SUBDIVISION, LOCALLY AS 4206-4208 MANCHACA ROAD AND 2000-2006 FORT VIEW ROAD, FROM "O" OFFICE DISTRICT TO "IR" LOCAL RETAIL DISTRICT; (2) SECTION 4: FOUR (4) TRACTS OF LAND FRONTING 443.32 FEET ON THE NORTH RIGHT-OF-WAY LINE OF FORT VIEW ROAD AND 315.87 FEET ON THE WEST RIGHT-OF-WAY LINE OF VALLEY VIEW ROAD, FROM "A" RESIDENCE DISTRICT TO "IR" LOCAL RETAIL DISTRICT; (3) SECTION 7: A TRIANGULAR PORTION OF THREE (3) LOTS, SAME BEING THE REMAINING PORTIONS OF LOTS 1-3, BANISTER HEIGHTS SUBDIVISION, LOCALLY KNOWN AS 1300-1314 W. BEN WHITE BOULEVARD AND 1316 FORT VIEW ROAD, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; (4) SECTION 8: LOTS 4-6, BLOCK 2, BANISTER ACRES SUBDIVISION, LOCALLY KNOWN AS 1301-1305 W. BEN WHITE BOULEVARD AND 4300-4306 BANISTER LANE, FROM "C" COMMERCIAL DISTRICT TO "GR" GENERAL RETAIL DISTRICT; (5) SECTION 9: LOT 14 AND THE REMAINING PORTIONS OF LOTS 1-3, BLOCK 2, BANISTER ACRES SUBDIVISION, LOCALLY KNOWN 1307-1315 W. BEN WHITE BOULEVARD AND 4307-4311 GILLIS STREET, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; (6) SECTION 10: SAME BEING ALL OF LOT 5, AND THE REMAINING PORTIONS OF LOTS 3 AND 4, AND AN ADJOINING 12.8 ACRE TRACT, ALL IN BLOCK 1, BANISTER ACRES SUBDIVISION, AND FRONTING 1,335.7 FEET ON THE SOUTH RIGHT-OF-WAY LINE OF W. BEN WHITE BOULEVARD AND 214.32 FEET ON THE WEST RIGHT-OF-WAY LINE OF GILLIS STREET, LOCALLY KNOWN AS 1401-1711 W. BEN WHITE BOULEVARD AND 4308-4314 GILLIS STREET, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; (7) SECTION 11a: LOTS 2 AND 3, CONTINENTAL ADDITION AND LOT 5, BLOCK B, FORD PLACE NO. 1 SUBDIVISION,

LOCALLY KNOWN AS 4403-4407 MANCHACA ROAD, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT: AND, (8) SECTION 12: LOTS 10-12, BLOCK B; LOTS 5-7, BLOCK D, AND LOTS 2-4, BLOCK G, ALL IN FORD PLACE NO. 1 SUBDIVISION, LOCALLY KNOWN AS 4402-4406 AND 4403-4407 MERLE DRIVE AND 4402-4406 AND 4403-4407 RUSSELL DRIVE, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; ALL OF ABOVE DESCRIBED PROPERTY BEING LOCATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Perry, Shanks, White, Mayor Palmer
Noes: None
Absent: Councilman Armstrong

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Perry, Shanks, White, Mayor Palmer
Noes: None
Absent: Councilman Armstrong

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Perry, Shanks, White, Mayor Palmer
Noes: None
Absent: Councilman Armstrong

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"December 1, 1961

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M., Friday, December 1, 1961 at the Office of the Director of the Water and Sewer Department, for the construction of the South Austin Outfall Sanitary Sewer, River Bluff and Tunnel Section. The bids were publicly opened and read in the Second Floor Conference Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>"Firm</u>	<u>Amount</u>	<u>Working Days</u>
Gibraltar Construction Company, Dallas	\$428,229.00	200
Boring and Tunneling Company of America, Houston	459,720.00	260
Ford-Wagner, Incorporated, Austin	469,563.70	350
Austin Engineering Company, Austin	523,092.00	300
Bland Construction Company, Austin	620,434.00	360
S. O. G. of Houston, Houston	622,963.00	360
Glade Construction Company, Austin	751,905.00	400

"It is recommended that the contract be awarded to the Gibraltar Construction Company of Dallas, Texas on their low bid of \$428,229.00 with 200 working days.

"Yours truly,
s/ S. A. Garza, Superintendent
Sanitary Sewer Division
s/ Albert R. Davis, Director
Water and Sewer Department"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 1, 1961 for the construction of the South Austin Outfall Sanitary Sewer, River Bluff and Tunnel Section; and,

WHEREAS, the bid of Gibraltar Construction Company of Dallas, Texas in the sum of \$428,229.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director, Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Gibraltar Construction Company of Dallas, Texas in the sum of \$428,229.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Gibraltar Construction Company.

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Perry, Shanks, White, Mayor Palmer
Noes: None
Absent: Councilman Armstrong

The City Manager submitted the following:

"December 4, 1961

"TO: Honorable Mayor and Members of the City Council
SUBJECT: Bids for Police Uniforms - Shirts, Trousers, Caps and Ties.

"Subject bids were opened at 2:00 P.M. November 29, 1961 in the office of the

Purchasing Agent.

"Bids were advertised for two consecutive weeks in the Austin American and in addition were sent to firms in this area who had asked to bid or who were considered to be able to bid. Three bids were received. Bid forms and specifications were approved by the City Attorney.

"The bids are as follows:

	Shirts	Trousers	Caps	Ties
Joseph's	*\$4.12	\$15.95	\$4.10	.74½
Jorace	No Bid	**\$15.05 less 1%-\$14.90	\$3.91	.75
Lorey's	\$4.07	\$15.38	\$3.72	.60

*Shirts ordered in sizes 17½ or over, add 10% to each shirt ordered.
**Trousers ordered 45 inches in waist or larger, add 10% to each pair ordered.

Lorey's bids stated that his prices were effective only on "all or nothing" basis. Total bid was \$7,741.50 as follows:

450	Shirts	@ \$4.07 each	\$1,831.50
300	Trousers	@ \$15.38 each	4,614.00
300	Caps	@ \$3.72 each	1,116.00
300	Ties	@ \$.60 each	180.00
	Grand Total		<u>\$7,741.50</u>

Taking a combination of low bids as submitted by Jorace and Joseph's are as follows:

450	Shirts	@ \$ 4.12	(Joseph's)	\$1,854.00
300	Trousers	@ \$14.90	(Jorace)	\$4,470.00
300	Caps	@ \$ 3.91	(Jorace)	\$1,173.00
300	Ties	@ \$.74½	(Joseph's)	\$ 223.50
	Grand Total			<u>\$7,720.50</u>

Low bids may 19, 1960: Shirts \$1,737.00, Trousers \$4,485.00
Caps \$1,083.00, Ties \$210.00 or Total \$7,515.00

"In checking stock Captain B. H. Rosen of the Police Department found that it will be necessary to order twelve shirts sizes 17½ or larger which would cost 10% per shirt additional as stipulated on Joseph's bid or \$4.53 each.

"There will be need to order eight trousers of 45 inch waist or larger, which would cost 10% per pair additional, making an additional cost of \$12.00 as Jorace Mens Wear stipulated.

"Taking this into consideration by adding the additional cost on shirts and trousers as previously mentioned, this would make a grand total of \$7,737.38 or a difference of \$4.12 in favor of a combination of bids by Joseph's Mens Shop and Jorace Men's Wear over the "all or none" bid of Lorey's Custom Tailoring.

"It is recommended that shirts and ties be awarded Joseph's Man's Shop for a

total of \$2,082.42 and that the caps and trousers be awarded Jorace Men's Wear for a total of \$5,654.96.

"W. T. Williams, Jr.,
City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 4, 1961, for the furnishing of police uniforms, consisting of shirts, trousers, caps and ties; and,

WHEREAS, the bid of Joseph's Man's Shop, in the sum of \$2,082.42, for the furnishing of shirts and ties, and the bid of Jorace Men's Wear, in the sum of \$5,654.96, for the furnishing of caps and trousers, were the lowest and best bids therefor, and the acceptance of such bids has been recommended by the City Manager of the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Joseph's Man's Shop, in the sum of \$2,082.42, for the furnishing of shirts and ties, and the bid of Jorace Men's Wear in the sum of \$5,654.96, for the furnishing of caps and trousers, be and the same are hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute contracts, on behalf of the City, with said stores.

The motion, seconded by Councilman Shanks, carried by the following vote:
Ayes: Councilmen Perry, Shanks, White, Mayor Palmer
Noes: None
Absent: Councilman Armstrong

Councilman Perry offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS all of the citizens of Texas have succeeded to the heritage of a Capital City endowed with unsurpassed natural advantages by almighty God, and selected by the keen foresight of the founders of our seat of government in Texas; and,

WHEREAS, the people of Austin have succeeded to the duty and privilege not only of maintaining the rich traditions of that Capital City, but also of providing a wholesome framework of conditions within which the economic and social necessities of the people thereof can be met; and

WHEREAS, for many years the untiring efforts of those who have combined their talents, their means, and their united energies to the health and welfare of persons less fortunate than themselves have made valuable contributions toward the continued accomplishment of these goals; and

WHEREAS, the tasks in the public's interest which these fine citizens must yet do can be said to have only begun; and

WHEREAS, a site for a strategically located headquarters for such activities, which has long been needed, has now been selected by the officials of the United Fund of Austin and Travis County near the new Municipal Auditorium and Convention Center, and being a part of the land known as the Butler Tract acquired in 1941 by the City of Austin; and,

WHEREAS, the City Council has inspected and has approved of said site for lease to said organization; Now Therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager, W. T. Williams, Jr., be and he is hereby authorized to execute that certain lease agreement exhibited by him to the City Council covering 1.601 acres of land, on behalf of the City of Austin for the premises to be occupied by the United Fund of Austin and Travis County and its affiliated health and welfare agencies.

The motion, seconded by Councilman Shanks, carried by the following vote:
Ayes: Councilmen Perry, Shanks, White, Mayor Palmer
Noes: None
Absent: Councilman Armstrong

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

- (1) A gas main in EAST DRIVE from a point 329 feet north of Florence Drive, northerly 39.0 feet, the centerline of which gas main shall be 5.50 feet west of and parallel to the east property line of said EAST DRIVE.

Said gas main described above shall have a cover of not less than 2½ feet.

- (2) A gas main in SOUTH 5TH STREET, from a point 572 feet south of Cumberland Road, southerly 151 feet, the centerline of said gas main shall be 6.50 feet west of and parallel to the east property line of said SOUTH 5TH STREET.

Said gas main described above shall have a cover of not less than 2½ feet.

- (3) A gas main in WEST 11TH STREET from a point 521 feet west of West Avenue, westerly 27.0 feet, the centerline of which gas main shall be 17.0 feet north of and parallel to the south property line of said WEST 11TH STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (4) A gas main in ROGERS AVENUE from a point 4.0 feet west of Walnut Avenue, westerly 124.0 feet, the centerline of said gas main shall be 9.0 feet north of and parallel to the south property line of said ROGERS AVENUE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Perry, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Armstrong

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, an easement 5 feet wide was granted for public utility purposes in, upon and across a part of Lot 8, Block B, Ford Place Number One, said Ford Place Number One being a subdivision out of the Isaac Decker League in the City of Austin, Travis County, Texas, according to a map or plat of said Ford Place

Number One of record in Book 4, page 265 of the Plat Records of Travis County, Texas, said strip of land 5 feet in width being also out of and a part of Lot 1, Continental Addition, said Continental Addition being a resubdivision of Lots 6, 7 and 8 of Block B of said Ford Place Number One according to a map or plat of said Continental Addition of record in Book 9 at page 41 of the Plat Records of Travis County, Texas; and,

WHEREAS, an easement 5 feet wide was granted for public utility purposes in, upon and across a part of Lot 9, Block B of said Ford Place Number One; and,

WHEREAS, the owner of said property has requested the City Council of the City of Austin to release the hereinafter described easements; and,

WHEREAS, the City Council has determined that the hereinafter described easements are not now needed and will not be required in the near future; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a release of the following described easements, to-wit:

Two strips of land, each of the said two (2) strips of land being five (5.00) feet in width, the strip of land hereinafter described as No. 1, being out of and a part of Lot 8, Block "B", Ford Place Number One, said Ford Place Number One being out of the Isaac Decker League in the City of Austin, Travis County, Texas, according to a map or plat of said Ford Place Number One of record in Book 4 at page 265 of the Plat Records of Travis County, Texas, said strip of land five (5.00) feet in width also being out of and a part of Lot 1, Continental Addition, said Continental Addition being a resubdivision of Lots 6, 7 and 8 of Block B of said Ford Place Number One, according to a map or plat of said Continental Addition of record in Book 9 at page 41 of the Plat Records of Travis County, Texas; The strip of land hereinafter described as No. 2 being out of and a part of Lot 9, Block B of said Ford Place Number One; each of two strips of land described more particularly described as follows:

No. 1, BEING all of the east five (5.00) feet of the said Lot 8, Block B, Ford Place Number One, same being also all of the north eighty (80.00) feet of the east five (5.00) feet of said Lot 1, Continental Addition;

No. 2, BEING all of the west five (5.00) feet of said Lot 9, Block B, Ford Place Number One.

The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Perry, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Armstrong

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by instrument of record in Book 5 at page 137 of the Plat Records of Travis County, Texas, a certain 1,544 square foot easement for public drainage purposes was granted in, upon and across a portion of Lot 2, Block E of a resubdivision of Block B and a portion of Blocks D and E of Fiset Place, said resubdivision of Fiset Place being a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Fiset Place of record in Book 4 at page 225 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of said property has requested the City Council of the City of Austin to release the hereinafter described easement; and,

WHEREAS, the City Council has determined that the hereinafter described easement is not now needed and will not be required in the near future; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a release of the following described easement, to-wit:

BEGINNING at a point in the west line of said Lot 2, Block E of a Resubdivision of Block B and a portion of Blocks D & E of Fiset Place, same being the northwest corner of the herein described tract of land, same being a point in the east line of Finley Drive and from which point of beginning, a concrete monument at the northwest corner of said Lot 2 bears N 29° 08' E. 8.11 feet;

THENCE, S 72° 35' E 37.92 feet to a point in the north line of said Lot 2;

THENCE, with the north line of said Lot 2, S 60° 14' E 137.21 feet to the most easterly corner of the herein described tract of land;

THENCE, S 74° 34' W 14.09 feet to a point in a line ten (10.00) feet south of and parallel to the north line of said Lot 2;

THENCE, with said line ten (10.00) feet south of and parallel to the north line of said Lot 2, N 60° 14' W to a point in the said west line of said Lot 2, same being a point in the east line of Finley Drive;

THENCE, with the east line of Finley Drive, N 29° 08' E 1.89 feet to the point of beginning.

All of the foregoing tract of land being 1,544 square feet of land out of and a part of Lot 2, Block E, of a resubdivision of Block B and a portion of Blocks D & D of Fiset Place, said Fiset Place being a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Fiset Place of record in Book 4 at page 225 of the Plat Records of Travis County, Texas; a map or plat of said resubdivision of Block B and a portion of Blocks D & E of Fiset Place being of record in Book 5 at page 137 of the Plat Records of Travis County, Texas.

The motion, seconded by Councilman Shanks, carried by the following vote:
Ayes: Councilmen Perry, Shanks, White, Mayor Palmer
Noes: None
Absent: Councilman Armstrong

The City Manager stated he had talked with County Judge, TOM JOHNSON, regarding the moving of utilities in Manchaca Road. Judge Johnson said he thought they could work it out with Water District No. 5 but Mr. Ed Bluestein, Highway Department, wanted a commitment from the City. The City Manager pointed out on a map the portion the city is involved in and he stated Mr. Bluestein wanted a letter stating the city would move the line or complete the development in a certain number of years. Discussion was held and 5 to 10 years was agreed upon. It was agreed that the City Manager be authorized to answer Mr. Bluestein along these lines.

The Council discussed briefly the Status of Water Sanitary Sewer Contract Projects as of December 1, 1961.

The City Manager submitted the following letter from the LUMBERMEN'S ASSOCIATION OF TEXAS:

"December 6, 1961

"Honorable Mayor and Members of the City Council
City Hall
Austin, Texas

"Re: Maintenance Agreement - City of Austin and Lumbermen's
Association of Texas, City File No. 1257 (c) Clerk's Office

"Gentlemen:

"On the 5th day of April, 1957, the City of Austin entered into a contract with the Lumbermen's Association of Texas, which led toward the opening and paving of 25th Street, and the improvement of city owned boulevard and park land along the East right-of-way of Lamar Boulevard, north of West 25th Street, all at the expense of the Lumbermen's Association of Texas.

"The first five-year term, provided by Article III of this agreement, which is recorded in Volume 2024, Page 39-45 of the Deed Records of Travis County, Texas, provides that unless the City desires to make use of the land consistent with boulevard and park purposes and shall so advise the Association in writing, that the Lumbermen's Association of Texas shall have, at its option, a right of renewal of this agreement for an additional five-year term, as well as four successive terms thereafter, upon the same conditions.

"Therefore, please be advised that unless the City desires to make such other use of the land, the Lumbermen's Association of Texas does desire to exercise its option for an additional term.

"Very truly yours,
LUMBERMEN'S ASSOCIATION OF TEXAS
s/ E. D. (Gene) Ebersole
Executive Vice President"

The City Manager asked if the Council has need to say so now.

The City Manager stated that in the will of MARY HEARD ELLIS, widow of A. Caswell Ellis, she had bequeath to the City of Austin \$9,000 to set up a trust fund for the purpose of maintaining the "Alexander Caswell Ellis Memorial Collection in Mental Health", to be located at the Austin Public Library. Councilman Perry stated the Council always appreciated it when the City is remembered in a will and on behalf of the Council expressed appreciation for this bequest. The City Manager stated the Legal and Finance Departments would work this out so that it would be maintained.

The Mayor read a communication from COUNCILMAN BOB ARMSTRONG.

MR. JIM WILSON, Assistant City Manager, stated there was a need to purchase twenty (20) oak chairs for the Council Room and it was in the Budget. Councilman Shanks stated these could be purchased for cost plus 5%. Councilman White moved that the City Manager be authorized to purchase these chairs at this price. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Perry, Shanks, White, Mayor Palmer
Noes: None
Absent: Councilman Armstrong

The Council met with members of the Planning Commission and MR. HOYLE OSBORNE, Director of Planning. Members of the Planning Commission present were MR. DAVID BARROW, Chairman; MESSRS DOYLE BALDRIDGE, FRED BARKLEY, EMIL SPILLMAN, S. P. KINSER, HOWARD E. BRUNSON, W. SALE LEWIS AND PERICLES CHRISS. The Mayor stated the Council was considering the possibility of employing help to write a ZONING Ordinance or to amend the old Ordinance. He stated the Planning Commission recommended employing outside help. Mr. Barrow stated the zoning ordinance was too complicated and should be simplified and the city needs good advice. Mr. Chriss thought a new ordinance should be written and unless it was enforced it would not be effective. Mr. Osborne introduced MR. ERLING HELLAND, Zoning Consultant. Mr. Helland gave his qualifications - Civil Engineering degree, Business Administration degree and a degree in Planning. He stated he had been employed mostly in planning. He said in revising the ordinance it would be necessary that zoning be based on the development plan; that it be properly enforced to attract new industry. He stated there were several approaches, as follows: (1) have own staff do it, which he did not think would be satisfactory; (2) employ a consultant to do the whole job, which was not good; or (3) employ a consultant to work with the staff and to work with the Planning Commission and the Council as much time as is needed. He said he would prepare general recommendations and policies and would draft specific recommendations to be reviewed by the Legal Department. He said as consultant he would work with the Council to bring together the ideas of the Planning Commission, the Planning Department, the Council and his own. In the discussion it was brought out that the Capitol Area Plan, more classifications, flood plain zones and the Subdivision ordinance would be considered. Mr. Helland stated he would not guarantee that it would be completed in 9 months but it would be a fair estimate for review and recommendation and it would not be possible to develop a lake front plan in this time. He said he had submitted a proposal.

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the construction of a sanitary sewer line in the City of Austin to provide for the safe elimination of sewage in the Little Walnut Creek Area in the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of an easement ten (10) feet in width across the hereinafter described tract of land for right-of-way to permit the construction of the aforesaid sanitary sewer line; and,

WHEREAS, the City of Austin has negotiated with the owners of said land and has been unable to agree with such owners as to the fair cash market value of such easement; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against all owners and lienholders, a suit in eminent domain to acquire the hereinafter described easement for sanitary sewer purposes across the hereinafter described tract of land:

A strip of land ten (10.00) feet in width, same being out of and a part of that certain tract of land out of the John Applegait Survey No. 58 in Travis County, Texas, which tract of land was conveyed to Jack B. Albright et ux by Warranty Deed dated May 31, 1945 of record in Volume 763 at page 7 of the Deed Records of Travis County, Texas; the centerline of said strip of land ten (10.00) feet in width being more particularly described as follows:

BEGINNING at a point in an east line of said Jack B. Albright tract of land and from which point of beginning the most southerly-southeast corner of said tract of land bears S 5° 30' E 326.6 feet;

THENCE, N 37° 07' W 40.87 feet to a point;

THENCE, N 6° 26' W 67.40 feet to a point;

THENCE, N 14° 10' E 175.00 feet to a point;

THENCE, N 21° 09' W 295.60 feet to a point;

THENCE, N 32° 17' W 224.76 feet to a point;

THENCE, N 0° 44' W to point of termination in the northwest line of said Jack B. Albright tract of land, said line being also the east right-of-way line of Cameron Road;

AND in addition thereto a temporary working space easement twenty (20.00) feet in width to cover the period of original installation is to be retained adjacent and parallel to the east and west lines of the above described easement.

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Perry, Shanks, White, Mayor Palmer
Noes: None
Absent: Councilman Armstrong

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the construction of a sanitary sewer line in the City of Austin to provide for the safe elimination of sewage in the Little Walnut Creek Area in the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of an easement ten (10) feet in width across the hereinafter described tract of land for right-of-way to permit the construction of the aforesaid sanitary sewer line; and,

WHEREAS, the City of Austin has netotiated with the owners of said land and has been unable to agree with such owners as to the fair cash market value of such easement; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against all owners and lienholders a suit in eminent domain to acquire the hereinafter described easement for sanitary sewer purposes across the hereinafter described tract of land:

A strip of land ten (10.00) feet in width, same being out of and a part of that certain tract of land out of the John Applegait Survey, and the H. T. Davis Survey in Travis County, Texas, which was conveyed to M. M. Brinkley et ux by Warranty Deed dated January 3, 1945 of record in Volume 749 at page 432 of the Deed Records of Travis County, Texas; the centerline of said strip of land, ten (10.00) feet in width being more particularly described as follows:

BEGINNING at a point in a southwest line of the aforesaid M. M. Brinkley tract of land, said point being in the center of Little Walnut Creek, and from which point of beginning the most westerly corner of said tract of land as fenced bears N 60° 00' W 265.21 feet;

THENCE, N 30° 28' E 436.50 feet to a point;

THENCE, N 16° 17' W 271.53 feet to point of termination in a north line of said M. M. Brinkley tract of land as fenced and from which point of termination the northwest corner of said tract of land bears S 64° 10' W 126.84 feet;

AND in addition thereto a temporary working space easement ten (10.00) feet in width to cover the period of original installation is to be retained adjacent and parallel to the east and west lines of the above described easement.

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Perry, Shanks, White, Mayor Palmer
Noes: None
Absent: Councilman Armstrong

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the construction of a sanitary sewer line in the City of Austin to provide for the safe elimination of sewage in the Little Walnut Creek Area in the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of an easement ten (10) feet in width across the hereinafter described tract of land for right-of-way to permit the construction of the aforesaid sanitary sewer line; and,

WHEREAS, the City of Austin has negotiated with the owners of said land and has been unable to agree with such owners as to the fair cash market value of such easement; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against all owners and lienholders, a suit in eminent domain to acquire the hereinafter described easement for sanitary sewer purposes across the hereinafter described tract of land:

A strip of land ten (10.00) feet in width, same being out of and a part of that certain tract of land referred to as the Jones Dairy Farm situated in Travis County, Texas, which was conveyed to Charley Anderson, et ux, by Warranty Deed dated February 19, 1934, of record in Volume 498, at page 469 of the Deed Records of Travis County, Texas; the center-line of said strip of land ten (10.00) feet in width being more particularly described as follows:

BEGINNING at a point in a northwest line of the aforesaid Charley Anderson tract of land and from which point of beginning a west corner, said corner being the most southerly corner of a 2.77 acre tract of land which was conveyed to J. C. Kirshner by Warranty Deed of record in Volume 1129, at page 201 of the deed records of Travis County, Texas, bears S 34° 13' W 6.37 feet;

- THENCE S 53° 49' E 106.08 feet to a point;
- THENCE S 44° 51' E 219.55 feet to a point;
- THENCE S 61° 05' E 304.45 feet to a point;
- THENCE S 72° 11' E 168.00 feet to a point;
- THENCE S 27° 34' E 245.68 feet to a point;

THENCE S 74° 40' E 104.32 feet to a point;

THENCE S 58° 04' E 310.29 feet to a point;

THENCE S 75° 27' E 139.69 feet to a point;

THENCE S 59° 58' E 259.02 feet to a point;

THENCE S 28° 53' E 404.36 feet to a point;

THENCE S 43° 44' E 39.09 feet to a point;

THENCE S 77° 56' E 197.55 feet to a point;

THENCE S 74° 59' E 172.19 feet to a point;

THENCE S 0° 46' E 79.85 feet to a point;

THENCE S 15° 28' W 247.96 feet to a point;

THENCE S 12° 42' W to point of termination in a south line of the aforesaid Charley Anderson tract of land;

AND in addition thereto, a temporary working space easement ten (10.00) feet in width to cover the period of original installation is to be retained adjacent and parallel to the north and south lines of the above described easement.

The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Perry, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Armstrong

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the construction of a sanitary sewer line in the City of Austin to provide for the safe elimination of sewage in the Little Walnut Creek Area in the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of an easement ten (10) feet in width across the hereinafter described tract of land for right-of-way to permit the construction of the aforesaid sanitary sewer line; and,

WHEREAS, the City of Austin has negotiated with the owners of said land and has been unable to agree with such owners as to the fair cash market value of such easement; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file

or cause to be filed against all owners and lienholders, a suit in eminent domain to acquire the hereinafter described easement for sanitary sewer purposes across the hereinafter described tract of land:

A strip of land ten (10.00) feet in width same being out of and a part of that certain tract of land referred to as the Jones Dairy Farm situated in Travis County, Texas, which was conveyed to Charley Anderson, et ux by Warranty Deed, dated February 19, 1934 of record in Volume 498, at Page 469 of the Deed Records of Travis County, Texas; the center-line of said strip of land ten (10.00) feet in width being more particularly described as follows:

BEGINNING at a point in a northeast line of the aforesaid Charley Anderson tract of land, said point being in the center of Little Walnut Creek, and from which point of beginning the most northerly corner of said tract of land bears N. 60° 00' W. 265.21 feet;

THENCE S.30° 28' W. 2.31 feet to a point;

THENCE S.16° 17' E. 490.11 feet to a point;

THENCE S.50° 47' W. 383.00 feet to a point;

THENCE S.42° 44' W. 311.81 feet to a point;

THENCE S.1° 53' W. 475.87 feet to a point;

THENCE S.7° 58' W. 566.53 feet to a point;

THENCE S.22° 2' E. 711.44 feet to a point;

THENCE S.51° 48' W. 292.73 feet to a point;

THENCE S.73° 58' W. to point of termination in a southwest line of the said Charley Anderson tract of land as fenced;

AND in addition thereto a temporary working space easement ten (10.00) feet in width to cover the period of original installation is to be retained adjacent and parallel to the east and west lines of the above described easement.

The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Perry, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Armstrong

The Council recessed at 12:20 until 2:30 P.M.

RECESSED MEETING

2:30 P.M.

At 2:30 P.M. the Council resumed its business.

The Council met with members of the AUSTIN HOUSING AUTHORITY to discuss a cooperation agreement for the construction of approximately 200 units of low-rent public housing for elderly citizens. MR. HUBERT B. JONES, MRS. LOUISE HAYNE and MR. BILL PETRI, members of the Housing Authority, were present. MR. CHARLES HERRING, Attorney, and MR. W. W. STEWART, Executive Director, also represented the Housing Authority. MR. JONES gave the background of public housing in Austin. He stated they saw a need for housing for the elderly. MR. HERRING stated the obligation of the City would be to grant the Housing Authority permission to build the units; furnish all the services the city furnishes the rest of the city; accept dedication of the streets (the authority builds the streets and the city maintains them); and agree to do away with 200 sub-standard houses in five years. The Housing Authority will pay the city in lieu of taxes, 10% of the shelter rent. Discussion was held regarding the construction of the units in that they would be designed for elderly people; the method of selecting tenants; and the sites for the units. Mr. Herring stated there were two such agreements now and this would be the same thing except for the elderly people. The Mayor thanked them for coming in.

The Mayor submitted a letter from MR. CHARLES D. PARKS, Sales Manager, Hotel Stephen F. Austin, enclosing a Courtesy Sticker furnished to out-of-town convention delegates by the City of Waco. He asked that the Council consider this for Austin. Mr. Jim Wilson, Assistant City Manager, was asked to answer Mr. Parks and state it was felt the City could not adopt such a practice.

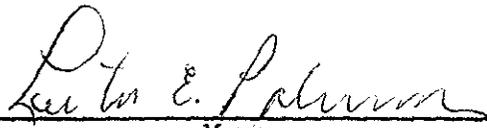
MR. DOREN ESKEW, City Attorney, and MR. DUDLEY FOWLER, Assistant City Attorney, briefed the Council on the HOWARD CLAGGETT condemnation case.

There being no further business, Councilman Shanks moved that the Council adjourn. The motion, seconded by Councilman White, carried by the following vote:

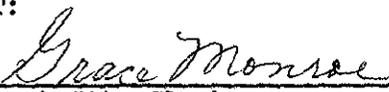
Ayes: Councilmen Perry, Shanks, White, Mayor Palmer
Noes: None
Absent: Councilman Armstrong

The Council adjourned at 4:20 P.M., subject to the call of the Mayor.

APPROVED


Mayor

ATTEST:


Assistant City Clerk